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**IN THE HIGH COURT OF JUDICATURE AT BILASPUR,
CHHATTISGARH**

WRIT PETITION No. 2609 OF 2002

PETITIONERS

1. State of Chhattisgarh, through
the Secretary, Forest
Department, Mantralaya,
Raipur (Chhattisgarh)
2. Divisional Forest Officer,
Forest Division,
Durg (Chhattisgarh)
3. Forest Ranger, Balod,
District Durg (Chhattisgarh)

P.R. No. 2602/02
Presented by *[Signature]*
dated 15.11.02 *[Signature]*

Versus

RESPONDENTS

1. Ku. Rekha Bai, resident of
Kurmi Para, Balod, District
Durg (Chhattisgarh)
2. Presiding Officer, Labour
Court, District Durg
(Chhattisgarh)

**WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA**

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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2609 of 2002

Petitioners

State of Chhattisgarh & others

Versus

Respondents

Ku. Rekha Bai and another

Single Bench : Hon'ble Mr. Justice Satish K. Agnihotri.

Smt. Anju Ahuja, Deputy Government Advocate for the petitioners.

ORAL ORDER

(12th June, 2006)

1. The present petition filed under Article 226/227 of the Constitution of India challenges the impugned award dated 7.5.2002 passed by the Presiding Officer, Industrial Disputes Act, Labour Court, Durg in Case No. 16/K.T. A-111/I.D. Act/2000 {Ref.}, wherein the Labour Court had directed the petitioners to reinstate the respondent No. 1 in service or alternatively pay a sum of Rs. 75,000/- as compensation in lieu of reinstatement.
2. The undisputed facts in nutshell are that the respondent No. 1 was appointed by the petitioners on 10.10.1991 on the post of Labourer. Her services was terminated vide order dated 31.12.1988. The respondent No. 1 filed an application under section 10 of the Industrial Disputes Act before the Assistant Labour Commissioner, Chhattisgarh Region, Raipur. The Assistant Labour Commissioner referred the matter to the Labour Court, Durg for adjudication of the dispute. The Labour Court, after having considered all the facts came to the conclusion that the termination order was bad in law, as the services of the respondent No. 1 was terminated without notice and without payment of retrenchment compensation.

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3. Accordingly, the award was passed, directing the petitioners to reinstate the respondent No. 1 in service or alternatively pay a sum of Rs. 75,000/- as compensation in lieu of reinstatement.
4. Learned counsel appearing for the petitioners submits that the respondent No. 1 was appointed as a casual labourer and as such she was not entitled to notice or retrenchment compensation.
5. I have gone through the impugned award, petition and other documents appended to the petition, it is found that there is no perversity or irregularity in passing the award of the Labour Court which needs interference by this Court under Article 226/227 of the Constitution of India. The award is based on the sufficient evidence and on proper application of law.
6. Admittedly, the petitioners have paid a sum of Rs. 75,000/- as compensation in lieu of reinstatement.
7. The petition is accordingly dismissed. No order as to costs.

Bablu

Sd/-
Satish K. Agnihotri
Judge